

February 09, 2010

GLORIA L. FRANKLIN, CLERK

U.S. BANKRUPTCY COURT

NORTHERN DISTRICT OF CALIFORNIA

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 11 Attorneys for JPMC SPECIALTY MORTGAGE LLC

12 UNITED STATES BANKRUPTCY COURT

13 NORTHERN DISTRICT OF CALIFORNIA - SANTA ROSA DIVISION

14 In re

15 JEFFREY A HILL,

Case No. 09-12325-AJ

Chapter 13

R.S. No. JBA-1826

ORDER GRANTING MOTION FOR
RELIEF FROM AUTOMATIC STAY

DATE: December 23, 2009

TIME: 9:00am

Debtor(s).

Northern District of California - Santa Rosa
Division
United States Bankruptcy Court
99 South "E" Street
Santa Rosa, CA 95404-6524

23 The above-captioned matter came on for hearing on December 23, 2009, at 9:00 AM,
 24 upon the Motion of JPMC Specialty Mortgage LLC ("Movant"), for relief from the automatic
 25 stay of 11 U.S.C. § 362, to enforce its interest in the property of Jeffrey A Hill ("Debtor")
 26 commonly known as 17402 Greenridge Road, Hidden Valley Lake, California 95467 (the "Real
 27 Property"), which is legally described as follows:

28 /././

1 LOT 44, BLOCK 1, AS SHOWN ON THAT CERTAIN MAP
2 ENTITLED, "HIDDEN VALLEY LAKE, UNIT NO. 7", FILED
3 IN THE OFFICE OF THE COUNTY RECORDER OF SAID
LAKE COUNTY ON MARCH 7, 1969, IN BOOK 10 OF TOWN
MAPS AT PAGES 88 TO 95, INCLUSIVE.

4 APN: 142-181-07

5 Appearances as noted on the record.

6 Based on the arguments of counsel, and good cause appearing therefor,

7 IT IS HEREBY ORDERED:

8 1. The automatic stay of 11 U.S.C. § 362 will be terminated effective in 15 days
9 from hearing if no payment is made, or effective in 60 days from the hearing if the Debtor is not
10 completely post-petition current, as it applies to the enforcement by Movant of all of its rights in
11 the Real Property under Note and Deed of Trust, and pursuant to applicable state law;

12 2. Upon failure of the debtor to make the payments provided in paragraph 1 above,
13 Movant is authorized to foreclose its security interest in the Real Property under the terms of the
14 Note and Deed of Trust, and pursuant to applicable state law;

15 3. The 14-day stay provided by Bankruptcy Rule 4001 (a)(3) is waived;

16 4. Post-petition attorney's fees and costs for the within motion may be added to the
17 outstanding balance of the subject Note as allowed under applicable non-bankruptcy law;

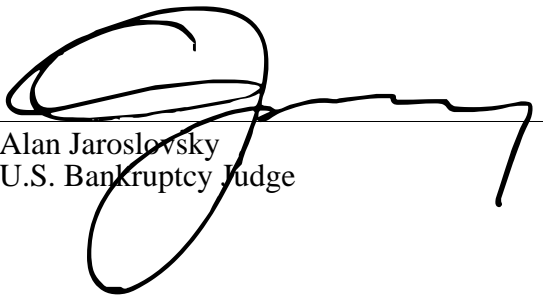
18 5. Upon foreclosure, in the event Debtor fails to vacate the Real Property, Movant
19 may proceed in State Court for unlawful detainer pursuant to applicable state law;

20 6. Upon entry of this Order, the Chapter 13 Trustee shall cease making payments in
21 regard to Movant's claim filed in this bankruptcy case;

22 7. Movant may offer and provide Debtor with information re: a potential
23 Forbearance Agreement, Loan Modification, Refinance Agreement, or other Loan Workout/Loss
24 Mitigation Agreement, and may enter into such agreement with Debtor. However, Movant may
25 not enforce, or threaten to enforce, any personal liability against Debtor if Debtor's personal
26 liability is discharged in this bankruptcy case; and

27 8. This Order shall be binding and effective despite any conversion of this
28 bankruptcy case to a case under any other chapter of Title 11 of the United States Code.

Dated: February 9, 2010



Alan Jaroslovsky
U.S. Bankruptcy Judge

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